THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 13366 of 2006

Dated: 03.07.2006

Between

N.V. Sagar, S/o N. Galaiah, E.No.108488, Driver, APSRTC, R/o D.No.7-3-74/B/1, Bhagyanagar Colony, Nirmal, Adilabad District.

….. Petitioner.

And

APSRTC, Musheerabad, Hyderabad, rep. By its Managing Director and others.

….. Respondents.

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W.P. No. 13366 of 2006

Oral order:

The petitioner joined the service of the respondents-APSRTC as Driver on 23.01.1984. While working as such, he was declared medically unfit to hold the post of Driver, and on that ground, he was retired from service vide orders dated 06.04.2006. It is the case of the petitioner that he having been retired on medical grounds made a representation dated 15.04.2006 under Section 47 of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995, requesting respondent No.2-Regional Manager to provide alternative employment, but till date, no orders thereon have been passed.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

Since the representation dated 15.04.2006, said to have been made by the petitioner under Section 47 of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 requesting to provide alternative employment, is pending consideration before respondent No.2,

I deem it appropriate to dispose of the writ petition with the following direction.

Respondent No.2, namely the Regional Manager, APSRTC, Adilabad Region, Adilabad, is directed to consider the representation

dated 15.04.2006 of the petitioner for providing alternative employment in lieu of his medical unfitness in the light of the provisions under Section 47 of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 and pass appropriate orders thereon, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 3rd July, 2006.
KSR